

Fair Political Practices Commission

MEMORANDUM

To: Chairman Randolph, Commissioners Blair, Downey, Huguenin, and Remy

From: Whitney Barazoto, Legislative and Communications Coordinator
Mark Krausse, Executive Director

Subject: Legislative Report – 2005 Chaptered Legislation

Date: November 18, 2005

The following bills related to the Political Reform Act or the Fair Political Practices Commission (Commission) have been approved by the Legislature, signed by the Governor, and chaptered into law by the Secretary of State. Unless otherwise indicated, the provisions of these chaptered bills will take effect on January 1, 2006.

AB 1234 (Salinas)

Chapter 700, Statutes of 2005

Local Agencies: Compensation and Ethics

As chaptered, this bill clarifies the rules pertaining to compensation of local government officials when they attend authorized meetings and conferences, and it requires local agencies to establish guidelines for reimbursing local officials for actual and necessary expenses incurred in the performance of official duties. Most pertinent to the Commission is that the bill requires ethics training for local government officials and selected employees of a local agency that provides such compensation or reimbursement. If a local agency develops curricula to satisfy the training requirements, the agency must consult with the Commission and the Attorney General regarding the sufficiency and accuracy of any proposed course content. Commission staff has added an item to the regulatory calendar to address the consultation requirement.

AB 1755 (Assembly Elections Committee)

Chapter 200, Statutes of 2005

(Commission-sponsored Omnibus Bill)

This Commission-sponsored measure makes the following changes to the Political Reform Act:

1. Deletes reporting provisions relating to the now-obsolete March state primary.
2. Clarifies that a late contribution report or a late independent expenditure report is not required to be filed by a candidate or committee that has disclosed the late contribution or late independent expenditure pursuant to a specified electronic report.
3. Extends from 30- to 45-days the period during which a candidate may leave one office and assume another without having to file a new SEI.
4. Clarifies that a candidate for city treasurer is required to file a statement of economic interests with the city clerk and that a candidate for judge is required to file a statement of economic interests with the person with whom the candidate's declaration of candidacy is filed, instead of filing the statement with the clerk of the court.

SB 8 (Soto)

Chapter 680, Statutes of 2005

Local Post-governmental Employment Restrictions

This bill extends to local elected officials, county chief administrative officers, city managers or administrators, and special district general managers or chief administrators the one-year post-governmental employment restrictions (“revolving door” ban) currently applicable to state public officials. It prohibits these local elected officials from lobbying the local government agency of which that official was a member for a period of one year after leaving office. It exempts from the prohibition individuals who are appearing or communicating on behalf of another local government or public agency of which the individual is a board member, officer, or employee. The provisions of SB 8 will take effect on **July 1, 2006**, imposing on the Commission an estimated annual cost increase of approximately \$168,000. A budget change proposal has been submitted to the Department of Finance seeking funding and positions to implement this legislation.